

Message

From: Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]
Sent: 11/3/2020 10:54:59 PM
To: Goodin, John [Goodin.John@epa.gov]
Subject: FW: specific requests for extension to the public comment period for Assumption
Attachments: EPA-HQ-OW-2018-0640-0051-A1.pdf; EPA-HQ-OW-2018-0640-0057-A1.pdf; EPA-HQ-OW-2018-0640-0066-A1.pdf; EPA-HQ-OW-2018-0640-0075-A1.pdf; EPA-HQ-OW-2018-0640-0075-A2.pdf; EPA-HQ-OW-2018-0640-0124-A1.pdf; EPA-HQ-OW-2018-0640-0134-A1.pdf

FYI

Mindy Eisenberg
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Office of Wetlands, Oceans and Watersheds
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW, mailcode 4504T
Washington, DC 20460
Cell Ex. 6 Personal Privacy (PP)
eisenberg.mindy@epa.gov

From: McGill, Thomas <McGill.Thomas@epa.gov>
Sent: Tuesday, November 03, 2020 5:45 PM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Allenbach, Becky <Allenbach.Bekky@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: specific requests for extension to the public comment period for Assumption

FYI, Please see the attached letters and summary below regarding requests for the EPA to extend the comment period for assumption.

From: Joe Fanjoy <Joe.Fanjoy@erg.com>
Sent: Tuesday, November 3, 2020 12:43 PM
To: Laycock, Kelly <Laycock.Kelly@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Cc: Laura Bachle <Laura.Bachle@erg.com>; McGill, Thomas <McGill.Thomas@epa.gov>; Joe Fanjoy <Joe.Fanjoy@erg.com>
Subject: RE: Earthjustice comments attached, plus update

All, attached are the requests for extension—either the public comment period or the December 17 decision deadline.

0051 A1 Earthjustice - EPA should suspend the public comment period and review of Florida's application until the State cures these deficiencies and submits a complete program proposal to the agency.

0057 A1 Brevard Indian River Lagoon Coalition - Asks that US EPA extend its current rushed schedule of making a decision by December 17, 2020 by at least 180 days to allow meaningful public review and comment which has been impossible by the short time frame during an extraordinary time of national crisis brought on by the COVID-19 pandemic.

0066 A1 Everglades Coalition - We therefore respectfully request that the Department postpone the public comment period on the proposed State 404 Program during the pendency of this statewide public health emergency.

0075 A1 Defenders of Wildlife - Request from Defenders of Wildlife for the U.S. Environmental Protection Agency to provide members of the public with a minimum of 45 days to evaluate and comment on the State of Florida's complete application to assume administration of the Clean Water Act Section 404 Program.

0075 A2 Defenders of Wildlife - Requesting that the U.S. Environmental Protection Agency ("EPA") restart the 45-day public comment period on the State of Florida's application.

0124 Private citizen - During this chaotic, confused time of Covid-19 virus scrambling of everything we do, it would seem MOST appropriate to extend that deadline to enable the public to better learn about this issue and be able to comment.

0134 Private citizen - If you cannot refuse this request, then I urge you to extend your current rushed schedule of making a decision by December 17, 2020 by at least 180 days to allow meaningful public review and comment which has been impossible by the short time frame during an extraordinary time of national crisis brought on by the COVID-19 pandemic.



From: Laycock, Kelly <Laycock.Kelly@epa.gov>
Sent: Tuesday, November 3, 2020 10:42 AM
To: Joe Fanjoy <Joe.Fanjoy@erg.com>; Calli, Rosemary <Calli.Rosemary@epa.gov>
Cc: Laura Bachle <Laura.Bachle@erg.com>; Joe Fanjoy <Joe.Fanjoy@erg.com>; McGill, Thomas <McGill.Thomas@epa.gov>
Subject: RE: Earthjustice comments attached, plus update

Joe,

Could you possibly send us copies of all those requests for extension you mentioned? Please cc Rosemary and Tom.

Thanks,

Kelly Laycock
Wetlands Regulatory Section
U.S. Environmental Protection Agency
61 Forsyth St.
Atlanta GA, 30303
phone 404 562 9132

From: Joe Fanjoy <Joe.Fanjoy@erg.com>
Sent: Friday, October 30, 2020 4:22 PM
To: Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>
Cc: Laura Bachle <Laura.Bachle@erg.com>; Joe Fanjoy <Joe.Fanjoy@erg.com>
Subject: RE: Earthjustice comments attached, plus update

Kelly and Rosemary, here's a quick update.

- We have approximately 65 unique comments in hand as downloaded from FDMS. These DCNs are in our system and we are vigorously coding the excerpts.

- There are several requests for extension: DCN 0075 A-1 Defenders of Wildlife, DCN 0057 A-1 Brevard Indian River Lagoon Coalition, and DCN 0066 A-1 Everglades Coalition's request to postpone the public comment period.

Regarding the hundreds of potential form letters, FDMS does not run its "deduplication" program until after the comment period closes. However, these do appear to be largely form letters.

Let me know if you need additional information.

Thanks, Joe

Joe Fanjoy

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From: Joe Fanjoy

Sent: Wednesday, October 28, 2020 3:12 PM

To: Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>

Cc: Joe Fanjoy <Joe.Fanjoy@erg.com>; Laura Bachle <Laura.Bachle@erg.com>

Subject: Earthjustice comments attached, plus update

Kelly and Rosemary, Earthjustice comments are among the latest comments. I wanted to get these to you right away because they are substantive.

Update: We have approximately 55 unique comments in hand, most of which are 1-pagers.

We are also investigating the 700+ "deferred" comments posted to Regulations.gov. We strongly suspect that most of those are form letters. I'll notify you as soon as I know the number of unique comments.

Thanks, Joe

Joe Fanjoy

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